

AN
 A B S T R A C T
 OF
 THOSE ANSWERS
 Which were given
 In the A S S E M B L Y of the
 L O R D S in the High Court of
 P A R L I A M E N T,
 UNTO THE
 N I N E R E A S O N S,
 S E N T U P
 F R O M T H E H O U S E
 O F
 C O M M O N S,
 Against the V O T I N G of B I S H O P S
 in P A R L I A M E N T.

41 (35)

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That Bishops ought not to vote
in PARLIAMENT.

B*ecause it is a very great hinderance to the exercise* Reason 6.
of their Ministeriall Function.

IT is not so much hinderance as their conveening *Answ.*
to Generall Councils, Synods, Convocations,
Assemblies, Classes, and the like, in all the Churches Reformed or otherwise.

2 It is *propter majus bonum Ecclesia.*

3 The Apostles unnecessarily put themselves to more hinderances, to worke for their livelihood, *Act. 20. 24. 1. Thes. 2. 9. 2. Thes. 3. 8.*

4 What hinderance can it be to their calling, that once in three yeares, when they must necessarily attend the Convocation, they divide some part of that short time to the attendance of Parliament?

Because they doe vow and undertake it at their Ordination, when they enter into holy Orders, that they will give themselves wholly to that Vocation. Reason 7.

1 This vow and undertaking in Ministers *Or- Answ.*
dination is quite mistaken : The words are in the Bishops Exhortation, not in the Ministers Answer.

2 The Bishop hopes they will give themselves wholly to that, and not to any other Trade or Vocation.

3 Wholly, in a Morall, and not in a Mathematicall sense, that will admit no Latitude: Else, there might the same exception be taken against their just care of provision for their household affaires.

Reason 3. *Because Councils and Canons in severall Ages doe forbid them to meddle in secular Affaires.*

Ans. 1 Councils and Canons against Bishops votes in Parliament, were never in use in this Kingdome, and therefore they are abolished by the Statute of 25. H. 8.

2 So are they by the same Statute, because the Lords have declared, that the Bishops vote here by the Lawes and Statutes of this Realme: And all Canons that crosse with those, are there abolished.

3 So are they by the same Statute, as thwarting the Kings Prerogative to call Bishops by Summons to vote in Parliament.

4 So are they by the vote in the House of Commons, 21. Maii 1641. because they are not confirmed by Act of Parliament.

5 This Argument was in a sort deserted by M. Perpoint, and confest to be but an *Argumentum ad hominem*.

Reason 4. *Because the 24. Bishops have a dependency upon the Archbishops, and because of their Canonicall obedience to them.*

Ans. 1 They have no Dependency upon the Archbishops, but in points of Appeale, and Visitation onely: And owe them no Obedience but in these two points. None at all in Parliament, where they are

are *Peers*, their Equals: And, as *Bracton* tells us, *Par in Parem non habet imperium*. What hath Canonically Obedience to doe with a vote in Parliament, declared in this Bill to be no Ecclesiasticall, but a secular affaire?

2 This Argument reacheth not the two Archbishops, discharged in the Rubrick from this Oath; and therefore is no reason for the passing of this Bill.

Because they are but for their lives, and therefore are Reason 5. *not fit to have Legis-lative power over the honours, inheritances, persons, and liberties of others.*

1 Bishops are not for their lives onely, but for *Answ.* their successors also in the Land and Honour that pertain to their places: as the Earles and Barons also are for their successors in their owne Lands and Honours: And, holding their lands in Fee simple, may with as good Reason vote in the Honours, inheritance, persons, and liberties of others, as others may, and doe in theirs.

2 Many Peeres have beene created for their lives onely, and the Earle of Surrey for the life of his Father, who yet voted in this House.

3 The Knights, Citizens, and Burgeses, are chosen for one Parliament only, and yet use their Legislative power. Nor will their being elected differre their Cause; for the Lords use that power, in a greater Eminence, who are not elected.

4 A Burgesse, that hath a Free-hold but for term of life onely, may vote and assent to a Law in Parliament.

5 No such exception was ever heard of in the Diets of Germany, the Corteses of Spaine, or the three Estates of France, where the Prelates

vote in all these Points, with the Nobility and the Commons.

Reason 2. *Because of Bishops dependency and expectancy of Translations to places of greater profit.*

Answ. 1. 1 This Argument supposeth all Kings, and all Bishops to bee very faulty, if they take the tune of their votes in Parliament, from these dependencies, and expectances.

2 This may be said of all the Kings great Officers, of all the noble members of both Houses, who may be conceived, as well as Bishops, to have their expectances, and consequently to be deprived by this Reason of voting in Parliament.

3 This Argument reacheth not at the two Archbishops, and so falls short of the votes, which are to be taken away by this Bill.

Reason 1. *That severall Bishops have of late much encroached upon the Consciences, and properties of the Subject. And they and their successors will be much encouraged still to encroach, and the subject will be much discouraged from complaining against such encroachments, if 26. of that Order be to be Judges upon these complaints. The same Reason extends to their Legis-lative power, in any Bill to passe for the Regulation of their power, upon any emergent inconveniency by it.*

Answ. 1 This Argument fights not against Bishops votes in Parliament, but against their votes in Convocation, where (if any where) they have encroached upon the Consciences and properties of the Subject: Nor yet at the votes of such Bishops there, as are not guiltie of this offence. Nor need the Subject to be discouraged in complaining against the like Grievances, though 26. of that Order continue Judges:

For

For they shall not vote as Judges in their owne Cause, when they are legally charged: And if they should vote, what were that to the purpose, when the Lay-Peeres are still foure to one? The Bishops (assisted with a double number of Mitred Abbots, and Priors) could not hinder the Lawes made against the Court of Rome, the Alien Cardinalls, and Prelates, the Provisors, the Suitors to the Popes Consistory under *Ed. 3. Rich. 2. and Hen. 4* much more may those emergent exorbitances of the Ecclesiasticall jurisdiction be soone curbed and redressed in this inequality of votes betweene the Temporall and Spirituall Lords. So as this Argument doth not so much hurt the votes, as it quailles the courage of the Bishops, who may justly feare, by this and the next Argument, that the taking away of their votes is but a kind of fore-runner to the abolishing of their jurisdiction.

Because the whole number of them is interested to Reason 8. maintaine the jurisdiction of Bishops, which hath beene found so grievous to the three Kingdomes, that Scotland hath utterly abolished it, and multitudes in England and Ireland have petitioned against it.

1 This Argument is not against the Votes of *Ansiv.* Bishops, but against Episcopacy it selfe, which must be removed, because Scotland hath done so, and some in England and Ireland would have it so: And yet peradventure ten times as great a somme as these desire the contrary.

2 There will be found Peeres enough in the upper House to reforme any thing that is amisse in the Ecclesiasticall jurisdiction, although the 26. Prelates should be so wicked as to oppose it: As there were found

found Peeres enough in that noble House, to curbe the Court of Rome, and the Revenues of the Cardinalls under *Ed. 3.* To meet with the Provissors under *Rich. 2.* To put all the Clergy into a *Præmunire* under *Hen. 8.* And to reforme the Religion, *1. Eliz.* notwithstanding the Opposition of all the Bishops.

Reason 9. *Because Bishops being Lords of Parliament, it setteth too great a distance betweene them and the rest of their Brethren in the Ministry, which occasioneth pride in them, discontent in others, and disquiet in the Church.*

Ans. This is an Argument from Morall Philosophie, which affords no Demonstrations. All are not proud that vote in Parliament, nor discontented, that are not so imployed. This Argument fights onely against their title of being Lords, which is not the Question at this time. And were those Brethren so wise & well affected as they might be, they would rejoyce rather that some of their own profession are advanced to those places wherein they may be capable, upon all occasions, of doing good offices to them, and to this whole Church.

FINIS.